



**SAN DIEGO UNIFIED PORT DISTRICT  
PORT ATTORNEY'S OFFICE**

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July 23, 2012

Judge Robert J. Trentacosta  
San Diego Superior Court  
200 W. Broadway  
San Diego, CA 92101

RE: Report by the 2011/2012 San Diego County Grand Jury,  
April 24, 2012

Dear Judge Trentacosta:

This will serve as the San Diego Unified Port District's (District) comments to the presiding Judge of the Superior Court, on the findings and recommendations pertaining to the matters under the control of the District. These comments are being made pursuant to California Penal Code Section 933(c) and Section 933.05(a)(b)(c).

On April 24, 2012, the San Diego County Grand Jury made the following recommendations to the Board of Port Commissioners of the District:

- 12-07: Adopt an Ordinance regulating the location, number, and condition of newsracks on District property.
- 12-08: Issue a sticker for each permitted newsrack showing the current permit information (publication, distributor, year, rack number and location), either in print or digital form, and require those stickers to be displayed on all newsracks.
- 12-09: Develop a searchable, sortable database of information about each newsrack listed in a permit application. Require permit applicants to submit their newsrack information in a digital format compatible with that database.
- 12-10: Develop a systematic field enforcement program that reviews the permit status and condition of newsracks.

As to each of the above recommendations of the San Diego County Grand Jury, the District responds as follows:

- 12-07: The recommendation to adopt an Ordinance regulating the location, number, and condition of newsracks on District property has not yet been implemented, but staff will recommend a draft Newsrack Ordinance to the Board of Port Commissioners that addresses the concerns expressed by the Grand Jury. The draft Newsrack Ordinance is presently being sent out to stakeholders and interested parties, as well as to publishing companies, for comments and input. Public meetings will take place in order to seek input and commentary so the District may consider appropriate modifications and changes to its draft Newsrack Ordinance, before presenting it to the Board of Port Commissioners for consideration.

The timeframe for presentation of the Newsrack Ordinance to the District's Board of Port Commissioners is projected to be December 31, 2012.

- 12-08: The recommendation to issue a sticker for each permitted newsrack showing the current permit information, either in print or digital form, and to require those stickers to be displayed on all newsracks has not yet been implemented, but will be recommended by District staff to the Board of Port Commissioners as part of implementing the Newsrack Ordinance. The requirement to have a sticker for each permitted newsrack showing the current permit information in either a print or digital form will be recommended to the Board of Port Commissioners.

The timeframe for consideration of this recommendation will be in conjunction with the completion of the District's North Embarcadero Visionary Plan Phase I project, which is projected for completion on or about June 30, 2013.

- 12-09: The recommendation to develop a searchable, sortable database of information about each newsrack listed in a permit application, requires further analysis by the District's Business and Information Technology Department. District Staff will inform the Board of Port Commissioners of this Grand Jury recommendation and also recommend it to the Board of Port Commissioners for approval.

The timeframe for consideration of this recommendation is projected to be June 30, 2013.

12-10: The recommendation to develop a systematic field enforcement program has not yet been implemented. District staff will inform the Board of Port Commissioners of this recommendation by the Grand Jury, and District staff will recommend its implementation.

The timeframe for consideration of this recommendation is projected to be June 30, 2013.

Yours very truly,



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